

RECEIVED
CENTRAL FAX CENTER

FEB 09 2005

PATENT
Expedited Procedure
After Final Response
Under 37 CFR 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF CONFIDENTIALITY

The information in this transmission is confidential and may be privileged and exempt from disclosure under applicable law. Dissemination, reproduction or any other use of this information by any person or entity other than the named recipient is strictly prohibited and is a violation of law. If the information in this transmission is erroneously transmitted to or received by any person or entity other than the named recipient, please contact the undersigned immediately by collect telephone call to arrange for return of the information at no cost to you.

Certificate of Facsimile Under 37 CFR 1.8

I hereby certify that this correspondence is being transmitted via facsimile to 703-872-9306 on 9 FEBRUARY 2005 addressed to: ASSISTANT COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313.


Roland K. Bowler II

Applicant:	CHO)	Examiner O. Anwah
)	
Appl. No.:	09/928,321)	Art Unit 2645
)	
Confirm No.	7384)	
)	
Filed:	13 August 2001)	Atty. Docket No. CS11370
)	
Title:	"Voice Announced Caller Identification Features and Methods Therefor"		

TRANSMITTAL UNDER 37 CFR 1.116

Best Available Cop

CHO
"Voice Announced Caller Identification
Features and Methods Therefor"
Atty. Docket No. CS11370

Appl. No. 09/928,321
Confirm No. 7384
Examiner L. LE
Art Unit 2645

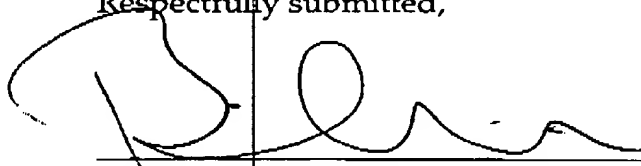
Assistant Commissioner for Patents
Alexandria, VA 22313

Sir:

The following is enclosed in response to the Advisory action of 14
January 2005:

- [X] Fee Calculation Sheet (DUPLICATE);
- [X] Petition under 37 CFR 1.136(a);
- [X] Response under 37 CFR 1.111 (3 pages); and
- [X] Declaration under 37 CFR 1.131 (7 pages);

Respectfully submitted,




ROLAND K. BOWLER II 9 FEB. 2005
REG. No. 33,477

MOTOROLA, INC.
INTELLECTUAL PROPERTY DEPT. (RKB)
600 NORTH U.S. HIGHWAY 45, AN475
LIBERTYVILLE, ILLINOIS 60048

TELEPHONE No. (847) 523-3978
FACSIMILE No. (847) 523-2350

RECEIVED
CENTRAL FAX CENTER

FEB 09 2005

FEE TRANSMITTAL				<i>Complete if Known</i>																																																																																																																									
Patent fees are subject to annual revision				Application Number	09/928,321																																																																																																																								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				Filing Date	13 August 2001																																																																																																																								
				First Named Inventor	CHO																																																																																																																								
				Examiner Name	O. Anwah																																																																																																																								
				Group Art Unit	2845																																																																																																																								
TOTAL AMOUNT OF PAYMENT (\$)				Attorney Docket No.	CS11370																																																																																																																								
METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																									
Check	Credit card	Money Order	Other	None																																																																																																																									
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 502117 Deposit Account Name: Motorola, Inc.				4. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entry</th> <th>Small Entry</th> <th>Fee Description</th> <th></th> </tr> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td></tr> <tr><td>1253</td><td>1020</td><td>2253</td><td>510</td></tr> <tr><td>1254</td><td>1590</td><td>2254</td><td>795</td></tr> <tr><td>1255</td><td>2100</td><td>2255</td><td>1080</td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td></tr> <tr><td>1403</td><td>1000</td><td>2403</td><td>500</td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td></tr> <tr><td>1453</td><td>1500</td><td>2453</td><td>750</td></tr> <tr><td>1501</td><td>1400</td><td>2501</td><td>700</td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td></tr> <tr><td>1503</td><td>1100</td><td>2503</td><td>550</td></tr> <tr><td>1460</td><td>130</td><td>2460</td><td>130</td></tr> <tr><td>1807</td><td>50</td><td>2807</td><td>50</td></tr> <tr><td>1808</td><td>180</td><td>2808</td><td>180</td></tr> <tr><td>8021</td><td>40</td><td>3021</td><td>40</td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td></tr> </tbody> </table>		Large Entry	Small Entry	Fee Description		Fee Code (\$)	Fee Code (\$)			1051	130	2051	65	1052	50	2052	25	1053	130	1053	130	1812	2520	1812	2520	1804	920*	1804	920*	1805	1840*	1805	1840*	1251	120	2251	60	1252	450	2252	225	1253	1020	2253	510	1254	1590	2254	795	1255	2100	2255	1080	1401	500	2401	250	1402	500	2402	250	1403	1000	2403	500	1451	1510	1451	1510	1452	500	2452	250	1453	1500	2453	750	1501	1400	2501	700	1502	800	2502	400	1503	1100	2503	550	1460	130	2460	130	1807	50	2807	50	1808	180	2808	180	8021	40	3021	40	1809	790	2809	395	1810	790	2810	395	1801	790	2801	395	1802	900	1802	900
Large Entry	Small Entry	Fee Description																																																																																																																											
Fee Code (\$)	Fee Code (\$)																																																																																																																												
1051	130	2051	65																																																																																																																										
1052	50	2052	25																																																																																																																										
1053	130	1053	130																																																																																																																										
1812	2520	1812	2520																																																																																																																										
1804	920*	1804	920*																																																																																																																										
1805	1840*	1805	1840*																																																																																																																										
1251	120	2251	60																																																																																																																										
1252	450	2252	225																																																																																																																										
1253	1020	2253	510																																																																																																																										
1254	1590	2254	795																																																																																																																										
1255	2100	2255	1080																																																																																																																										
1401	500	2401	250																																																																																																																										
1402	500	2402	250																																																																																																																										
1403	1000	2403	500																																																																																																																										
1451	1510	1451	1510																																																																																																																										
1452	500	2452	250																																																																																																																										
1453	1500	2453	750																																																																																																																										
1501	1400	2501	700																																																																																																																										
1502	800	2502	400																																																																																																																										
1503	1100	2503	550																																																																																																																										
1460	130	2460	130																																																																																																																										
1807	50	2807	50																																																																																																																										
1808	180	2808	180																																																																																																																										
8021	40	3021	40																																																																																																																										
1809	790	2809	395																																																																																																																										
1810	790	2810	395																																																																																																																										
1801	790	2801	395																																																																																																																										
1802	900	1802	900																																																																																																																										
1. BASIC FILING, SEARCH, AND EXAMINATION FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Application Type</th> <th colspan="2">FILING FEES</th> <th colspan="2">SEARCH FEES</th> <th colspan="2">EXAMINATION FEES</th> <th rowspan="2">Fee Paid (\$)</th> </tr> <tr> <th>Large Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Large Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Large Fee (\$)</th> <th>Small Entity Fee (\$)</th> </tr> </thead> <tbody> <tr><td>Utility</td><td>300</td><td>150</td><td>500</td><td>250</td><td>200</td><td>100</td><td></td></tr> <tr><td>Design</td><td>200</td><td>100</td><td>100</td><td>50</td><td>130</td><td>65</td><td></td></tr> <tr><td>Plant</td><td>200</td><td>100</td><td>300</td><td>150</td><td>160</td><td>80</td><td></td></tr> <tr><td>Reissue</td><td>300</td><td>150</td><td>500</td><td>250</td><td>600</td><td>300</td><td></td></tr> <tr><td>Provisional</td><td>200</td><td>100</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> </tbody> </table>				Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	Utility	300	150	500	250	200	100		Design	200	100	100	50	130	65		Plant	200	100	300	150	160	80		Reissue	300	150	500	250	600	300		Provisional	200	100	0	0	0	0																																																																					
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)																																																																																																																						
	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)																																																																																																																							
Utility	300	150	500	250	200	100																																																																																																																							
Design	200	100	100	50	130	65																																																																																																																							
Plant	200	100	300	150	160	80																																																																																																																							
Reissue	300	150	500	250	600	300																																																																																																																							
Provisional	200	100	0	0	0	0																																																																																																																							
2. EXTRA CLAIM FEES Each claim over 30 or, for Reissues, each claim over 20 and more than in the original patent Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent Multiple Dependent Claims <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> </tr> </thead> <tbody> <tr><td>60</td><td>25</td></tr> <tr><td>200</td><td>100</td></tr> <tr><td>360</td><td>180</td></tr> </tbody> </table>				Fee (\$)	Small Entity Fee (\$)	60	25	200	100	360	180																																																																																																																		
Fee (\$)	Small Entity Fee (\$)																																																																																																																												
60	25																																																																																																																												
200	100																																																																																																																												
360	180																																																																																																																												
Total Claims: <input type="text"/> Extra Claims: <input type="text"/> Fee (\$): <input type="text"/> Fee Paid (\$): <input type="text"/> - 20 or HP = <input type="text"/> x 50 = <input type="text"/> Fee Paid (\$): <input type="text"/> HP = highest number of total claims paid for, if greater than 3 Fee Paid (\$): <input type="text"/>																																																																																																																													
Indep. Claims: <input type="text"/> Extra Claims: <input type="text"/> Fee (\$): <input type="text"/> Fee Paid (\$): <input type="text"/> - 3 or HP = <input type="text"/> x 200 = <input type="text"/> Fee Paid (\$): <input type="text"/>																																																																																																																													
3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper, the application size fee is \$250 (\$125 for small entity) For each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(g). <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof</th> <th>Fee (\$)</th> <th>Fee Paid (\$)</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>				Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)																																																																																																																					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)																																																																																																																									
5. OTHER FEE(S) (specify) Non-English Specification, \$130 fee (no small entity discount) Fee Paid (\$): <input type="text"/>																																																																																																																													
SUBMITTED BY Name (Print/Type): Roland K. Bowler II Signature:  Registration No.: 33,477 Telephone: 847-523-3978 Date: 9 February 2005																																																																																																																													

CHO
"Voice Announced Caller Identification
Features and Methods Therefor"
Atty. Docket No. CS11370

Appl. No. 09/928,321
Confirm No. 7384
Examiner L. LE
Art Unit 2645

Response to Refusal to Accept Declaration Under 37 CFR 1.131

Rejection Summary

Claims 1-3, 5, 6, 8-17 and 19-21 stand rejected under 35 USC 102(e) as being anticipated by U.S. Publication No. 2003/0026416 A1 (Fusco). Official Action, 20 October 2004, para. 2.

In the Advisory Action, the Examiner refused to accept Applicant's Declaration Under 37 CFR 1.131 on the grounds that the

.... evidence is insufficient to establish diligence from a data prior to the data of reduction to practice of the Fusco reference to either a construction reduction to practice to an actual reduction to practice because Applicant has failed to provide evidence of due diligence from July 31, 2001 through August 13, 2001.

Discussion of Supplemental Declaration Under 37 CFR 1.131

The Applicants' counsel has submitted herewith a Declaration under 37 CRF 1.131 averring diligence the prior to the August 1st, 2001 effective date of the Fusco reference to the filing of the instant patent application on 13 August 2001. Particularly, the Declaration outlines the chain of events supported by factual evidence establishing diligence of the preparation and filing of the instant patent application. The factual evidence includes dated communications between the undersigned attorney and inventors and patent draftsman related to various administrative procedures associated with the preparation of the patent specification, formal drawings, legal documents and the execution thereof required for perfection of the patent application, occurring during the time period at issue.

CHO
"Voice Announced Caller Identification
Features and Methods Therefor"
Atty. Docket No. CS11370

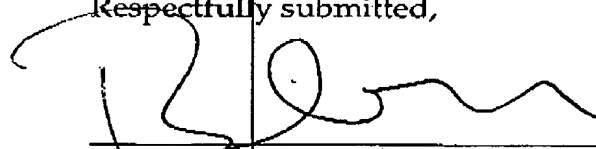
Appl. No. 09/928,321
Confirm No. 7384
Examiner L. LE
Art Unit 2645

The supplemental Declaration corrects defects asserted to exist in the Declaration filed on 20 December 2004. The supplemental Declaration should be considered because it places the application in condition for allowance or in better condition for consideration on appeal. Kindly withdraw the rejections based upon Fusco.

Prayer for Relief

In view of the Declaration and discussion above, the Claims of the present application are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,



ROLAND K. BOWLER II 9 FEB. 2005
REG. NO. 33,477

MOTOROLA, INC.
INTELLECTUAL PROPERTY DEPT. (RKB)
600 NORTH U.S. HIGHWAY 45, AN475
LIBERTYVILLE, ILLINOIS 60048

TELEPHONE NO. (847) 523-3978
FACSIMILE NO. (847) 523-2350

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.